

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BOCKSTAR TECHNOLOGIES LLC,

Plaintiff,

v.

CISCO SYSTEMS, INC.,

Defendant.

C.A. No. 13-2020-SLR

CISCO SYSTEMS, INC.,

Counterclaim-Plaintiff,

v.

BOCKSTAR TECHNOLOGIES LLC,
CONSTELLATION TECHNOLOGIES LLC,
ROCKSTAR CONSORTIUM US LP,
AND SPHERIX INCORPORATED,

Counterclaim-Defendants.

**PLAINTIFF BOCKSTAR TECHNOLOGIES LLC'S MOTION TO DISMISS
CISCO'S AMENDED COUNTERCLAIMS AND TO DISMISS CONSTELLATION,
ROCKSTAR AND SPHERIX AS IMPROPERLY JOINED**

Plaintiff Bockstar Technologies LLC respectfully moves to dismiss Defendant Cisco Systems, Inc.'s amended counterclaims 19-21, 37, 39-40, 51, 53-54, 65, 67-68, and 93, pursuant to Federal Rules of Civil Procedure 12(b)(1) and/or 12(b)(6), and to dismiss Counterclaim-Defendants Constellation Technologies LLC, Rockstar Consortium US LP and Spherix Incorporated as improperly joined, pursuant to Federal Rule of Civil Procedure 21. The grounds for this motion are set forth in Plaintiff Bockstar Technologies LLC's Opening Brief and Declaration in support of its Motion to Dismiss Cisco Systems, Inc.'s Amended Counterclaims

and to Dismiss Constellation Technologies LLC, Rockstar Consortium US LP and Spherix

Incorporated as Improperly Joined, the Opening Brief being filed contemporaneously herewith.

A proposed form of order is also filed herewith.

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Dated: July 15, 2014

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CERTIFICATE OF SERVICE

I, Adam W. Poff, hereby certify that on July 15, 2014, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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I further certify that on July 15, 2014, I caused a copy of the foregoing document to be served by e-mail on the above-listed counsel and on the following:

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